The Illinois Central Has Taken the Lead and Other Railways May Follow-Another Fast Run.

C. H. Chappell, vice president and general manager of the Chicago & Alton, and a man very conservative in his views, draws a dark picture of the situation in the West as regards freight traffic, and intimates that the Alton is getting into a fighting mood. Mr. Chappell says: "West- Albany & Chicago for the seven months ern freights are in very bad shape and will continue in the same or worse straits until the end of the year. The present cut Class rates are cut about as much as those on coal and lumber, the only difference being that part of the reductions on these two commodities have been made openly. The situation is very serious. We do not know exactly what we will do about the coal rates, but we have made up our minis any event. We have been systemically hiseled out of coal tonnage every year ince the interstate act went into effect. We haven't taken a spoonful, while our ompetitors have taken the entire tonnage of the Pennsylvania lines.

The outline of the sco, e and purpose of the presidents' agreement, which has been published so extensively by the press, was prepared by Vice President Thompson, of the Pennsylvania lines. chiseled out of coal tonnage every year We haven't taken a spoonful, while our competitors have taken the entire tonnage to Kapsas City. We gave notice some time ago, when rates began getting shaky, that we proposed to take our share of the business if we had to go as low as \$1 per ton against the tariff rate of \$3,20. We now men out seeing if we can get our of the business at the \$2 rate the Santa Fe will make to-morrow. I do not believe we can get any tonnage at this price. Unless we can get our share we will make a \$1 rate and get it. We will not stop at \$1.50 or any intermediate figure. There is no use quibbling when matters there is no use quibbling when matters are reached their present state. We will imply go out after the tonnage and get to the tonnage and get to the state of the lines recently scured by the Brice syndicate, that the 10 per cent. reduction made in their wages in 1893 is to be rete cutting, and it is apt to continue infinitely after the corn crop begins to e corn down the river via Galveston there will be a good many empty cars in Chicago and freight will probably be taken at very low rates rather than haul the cars empty

Statistics on Long-Distance Runs. sleted and made public the official records for fast long-distance runs. As a result of his examination he says: "First of all, train is held by the London & Northwestern, and is, by the official figures I have just received, 64.8 miles an hour for 540 miles. Second, the longest run ever made without stops was 43934 miles, by the Pennsylvania Company, in ten hours and five minutes. This was the Jarrett & Palmer train is held by the London & Northwest-

"The Jarrett & Palmer train was made up in Pittsburg, sent to Jersey City without a stop and was instantly redispatched and really ran nine hundred miles without stop. There was no attempt to make speed on that particular run. nird, the speed record of the United d by the New York Central with a 4364

fle run, at the rate, according to news-aper reports, of 64.26 miles an hour, al-lough the Railroad Gazette of Sept. 20 ives the figures as 64.22. I, of course, have not the official data for that particular ecord. Fourth, the fastest record for 8.3-10 miles is held by the Pennsylvania Company—761/2 miles an hour. Fifth, the fastest record for 5 1-10 miles is at the rate of 102 miles an hour, made by a regular train on the Pennsylvania. The highest speed record for a distance of about sixty miles was made by the Pennsylvania on April 21, 1895, Camden to Atlantic City. 58.3 miles, in 45% minutes, an average speed for the whole distance of 76% miles an hour, wenty-five miles of this distance having en run at the rate of eighty-three miles a hour, while a rate of 87.8 miles an hour as reached for a portion of this latter distance. The record for a distance of about ve miles was made on the Pennsylvania, Haryland division, Aug. 3, 1896. A regular rain made the run from Landover to Anasta, 5.1 miles, in three minutes, a rate

ersey City on June 1, 1876, making the run 3,313 miles, to San Francisco, in eightyfour hours and seventeen minutes, with seventy-two stops, at the rate of forty miles an hour." Sargent on the Wabash Rumors.

F. P. Sargent, grandmaster of the brotherhood of Locomotive Firemen, says e has no information whatever of any attempt on the part of the Wabash railroad to get rid of members of the brotherd or of those of any other organiza-t, and he does not think there is any-ing in the reports. He thinks the Wa-h would be very foolish to attempt any-ing of the kind and has no excuse for it. le calls attention to the fact that during A. R. U. strike these organizations resed to join in it And, therefore, the abash and other roads ought to feel good ill to them. He declared emphatically at all efforts to crush these old line orcanizations would be in vain. The members, as a rule, acted like honorable men and they should not be held responsible for any mistakes a few individual mem-

Large Sale of Bonds. The largest sale of American railroad onds of the year has escaped the attention of Wall street owing to the extreme secrecy observed in such transactions by tly identified with the ste government bond syndicate. A syndicate comprising a number of the most influential banking houses in New York and London has purchased from the reorganization syndicate of the Erie road \$15,000,000 of first consolidated prior lien four-per-cent. conds. It is understood that the larger proportion of the bonds will be disposed of in Europe.

Presidents' Agreement Finished. After being in session three days at New York the subcommittee of the special comnittee of eight, appointed on Monday by he railroads in the Trunk Line Association, to prepare a plan for pooling their interests finished its labors last evening. Association, said after the meeting that e could make no statement for the papers yet of the results reached. He also said that a report of the subcommittee would be presented to a meeting of pres-

just as soon as it could be conven-George L. Bradbury's New Honor. George L. Bradbury, general manager of the Lake Erie & Western, with headquarters in this city, was yesterday elected vice president of the Cleveland, Akron & Columbus railroad, a new purchase of the Brice interests. Mr. Bradbury was in Cleveland yesterday and could not be seen last night. The organization occurred in New York.

148 Miles in 130 Minutes. All records for speed in long distance travel by railroad were broken yesterday by the New York World's special train. which carried yesterday morning's edition from New York to Syracuse. The distance between Albany and Syracuse—148 miles—was covered by the special in 150 minutes, an average of 68.3 miles per hour.

Personal, Local and General Notes. C. C. Scott, for many years chief train dispatcher of the Erie road, has gone totally blind.

It is stated that C. H. Rockwell is to be retained as general passenger agent of the Cieveland, Akron & Columbus. The running of low rate excursions to

THE BREATEST PURIFIER the understanding that it should be allowed to run such homeseekers' excursions as it deemed advisable after giving notice to the other reads. If, after a conference of the other lines, no agreement was reached by them on the running of the excursions, the right of the Illinois Central FOR THE BLOOD.

Chicago from Indianapolis was soon dropped, as neither of the roads which advertised the low rates carried excursionists, enough to make it profitable. The ticket agents of the outside offices at Columbus, O., have agreed to close their offices at 5:30 p. m. every day of the week.

Henry Penrose, a passenger conductor on the Pittsburg & Lake Erie, has been ap-pointed superintendent of the Elwood city Another attempt is to be made in New York, Sept. 27, to reorganize the Southern

Freight Association, with Colonel Haines Local passenger men have received a call for a meeting of the passenger department of the Central Traffic Associa-

tion in Chicago, Oct. 2. ranged for a special train to go on the road Nov. 1, to advertise the products of Missouri in the Eastern States. The net earnings of the Louisville, New

ending July 31 were \$565,369, against \$141,-727 in the corresponding period of 1894. The Missouri, Kansas & Texas will open rates are largely on contract business, and the contracts do not expire before Jan. 1. of 1896 will it open for passenger traffic to that point.

Frank Ellmaker, superintendent of the middle division of the Pennsylvania road, will leave the company on Oct. 1, the man-agement having promised to name his suc-

The Lake Erie & Western, it is stated, has expended considerable money this season in laying additional side track, erecting that we will take part of the tonnage in | new water stations, and repairing depots, platforms, etc.

The new basis for rates on grain and grain products to Texas points which goes

into effect Oct. 3 departs considerably from the present condition in that it divides in groups the grain shipping territory. A good deal of surprise is expresed in passenger circles that the Northern and the Southern Pacific have joined in through tourist car service between St. Paul and San Francisco, the service beginning Oct. 2. A rumor is current among the employes

stored. The Louisville, New Albany & Chicago, in the year ending June 30, paid out for new steel rails \$148,105.05, purchasing 5,237 tons of seventy-five-pound to the yard rails and 1,037 tons weighing sixty-seven pounds

to the yard. The Chicago & Alton will on Sunday next Theodore N. Ely, chief of motive power and Peoria with three first-class daily of the Pennsylvania lines, has just com- | trains and two each way on Sunday. The

Over eight thousand barrels of apples the world's record for a long-distance Albany by rail and as many more are to be shipped, largely to Eastern markets. In cars of sixty thousand pounds capacity 160 barrels of apples are loaded. D. S. Gray, of the Pennsylvania lines

west, who was selected as one of the special committee by the presidents, was not able at first to be with the committee, out joined it yesterday, as did General Manager Sargeant, of the Grand Trunk. The higher officials of the Pennsylvania ines have this week given three days to inpecting the Pennsylvania road between City and Pittsburg, but will not probably start on their trip of inspecting Western lines before the second week in

Paul P. Rainer, chief of the Central Traffic Inspection Bureau, has gone to New York to attend the rate agreement conference and to make suggestions looking to increasing the service of the weighing and aspection bureaus, which have done much to increase the revenues of the roads.

rived yesterday. It is stated that in the broom corn section of Illinois there are over six hundred carloads of broom corn to be shipped and freight men are eager to get their share of the business, a large

C. E. Schaff, assistant general manager of the Big Four, says there is no founda-tion for the report that the Big Four is dissatisfied with the facilities the Baltimore & Ohio Southwestern gives in handling the and Louisville, that the Big Four has every reason to be satisfied with its contract and treatment and the matter of building from Norh Vernon to Louisville has not been mentioned in weeks.

The New York Central is smashday and yesterday managed to eclipse all former records for fast running. Yesterday it ran a train from Albany to Syracuse, 148 miles, in 1321/2 minutes, making a fraction over sixtysix miles an hour. To-day it ran a train from Albany to Syracuse, 148 miles, in 130 ites, making an average of 68.3 miles an hour. This breaks all previous records

for such a distance. The Vandalia has for several days been jected to a west-bound freight block-, and side tracks at terminais and along the line are holding delayed freights. Never in the history of the road has its west-bound business been as heavy. For some weeks past from 1,100 to 1,200 loaded cars have been dispatched weekly from indianapolis yards. Indications yesterday were for an easing up in the blockade.

A. A. Zion vesterday took up the charges made by John Lewis, station agent, against Charles Craig, an engineer on the Monon After hearing the testimony on both sides he informed both parties that he would read the statement of each over, and in a day or two give his decision. Engineer Craig is indignant over the matter. He says he has been running an engine on the Louisville, New Albany & Chicago twenty-six years, and had never been reprimanded or even reported until in the

In addition to the meeting on Monday hairman Caldwell has called a meeting for Cuesday to consider rates and arrangements to the Atlanta exposition. The present rate, 17 per cent. of double locals, was adopted by the Western roads with the understanding that no lower rates should be made pending a meeting to be held during the first of October. There is a chance that the proposition of the Southern roads for a rate of one fare plus \$10 for the round trip may be adopted, but in

George Frey, proprietor of ticket scalp-ing offices in St. Paul and Minneapolis, and who is also interested in two of the ing offices at Indianapolis, was in the city yesterday. One of his errands was to see if the local scalpers would not re-establish their local association, through which scalpers' rates were much better naintained than under present conditions. Mr. Frey says the American Ticket Brokers' Association has met the legal fights which have come up with the rail-roads, and to-day the scalpers are well in the lead in all pending legal controversies. The report is revived that the Louisville, New Albany & Chicago is in a fair way to secure control of the Indiana & Illinois Scuthern. In the annual report of Samuel Thomas, president of the L., N. A. & C., he alludes to the indiana & Illinois Southern as follows: "The converse of the line ern as follows: "The conversion of the Switz City branch to standard gauge has brought the company's line within a few miles of the Illinois coal field, through which extends an existing line known as the Indiana & Illinois Southern, from Switz City, on the company's line, to Effingham, on the Vandalia route. This line is unforfunately at present in such dilapidated con-dition that an interchange of cars is not dition that an interchange of cars is not practicable, but it is hoped that its owners will be able to improve its condition so as to enable its safe operation, in which case the Monon will be able to inaugurate a large coal business with the mines only six miles from Switz City, and with St. Louis, with which the Monon company already has a very considerable traffic." Chairman Caldwell, of the Western Lines Passenger Association, has issued a call for a meeting at Chicago next Monday of all the lines in the association. The matter to be discussed is the advisability of running homeseekers' excursions each month until rext May. The Illinois Central issued notice yesterday that it intended to put in a series of monthly excursions to be run from October to May. The excursions will be run from points north of the Ohio river to points south of it. They will also be run without the restrictions that have surrounded the running of the excursions since last spring and they will be at one fare for the round trip. When the Illinois Central joined the Western Lines' Association it did so with

on Monday to decide what they shall do Around the earth, in every land,
By every stream that I'm aware of,
In every town, they understand
How teeth may best be taken care of.
From Jersey flats to Birmah's mount They sing the praise of Sozodon't.

to run its excursions should still be good,

provided it gives notice ten days in advance of its first excursion. It has now

given notice and the other lines will meet.

understanding that it should be al-

COFFIN ON THE STAND

SION OF COMPANY'S TROUBLES.

General Harrison a Listener at the Trial Yesterday-Organization of London Branch.

The jury in the Coffin case is hearing a version of the story from the lips of one Some business men of Missouri have ar- of the defendants. Francis A. Coffin was put on the witness stand yesterday and began the task of explaining to the government the details of the transactions between the Indianapolis Cabinet Company and the Indianapolis National Bank. The jurors realize that they are to take into consideration the testimony of the defendants in arriving at a verdict and they are all attention. Mr. Coffin is an excellent had sent a lot of desks to England to be the company is about to become insolvent, and at all times addresses the jury. He has no notes, as in the former trial, and depends entirely upon his memory in replying to the interrogations of his attorney. The report that one of the Coffins would we would open a branch house in London go on the stand yesterday afternoon brought a great many people to the court room.

Some of them came out of curiosity and strike began and we were unable to rea great many people to the court room. after viewing the witness a moment withdrew. Others became interested in his testimony and remained. General Harrison came in during the afternoon and remained for an hour. When Francis Coffin took payment of the debt which we owed the the stand, General Harrison accepted a chair at a table in the rear of attorney Winter and was an attentive listener for a half hour. Considerable interest was manifested in the evidence of attorney A. C. Harris yesterday. The defense called Mr. Harris to show that many of the transactions of the Coffins were advised by him. He was the attorney of Frank Coffin for several years previous to the failure of the cabinet company. The other witnesses examined were New York bank clerks who identified drafts drawn upon the cabinet company's branches and forwarded to New York for collection.

Francis A. Coffin stepped to the witness stand at 4 o'clock. He gave his age as forty-three years, and that of his brother of manufacturing until he went into business here with his father-in-law, John toberts, and his father and brother, Charles F. and William Edward Coffin. They bought the plant of the Sewing Machine Cabinet Company, which was located on the present site of the Indianapolis Cabinet Company. They made sewing macine wood work for two or three years exclusively, supplying the Howe Sewing Machine Company, the Davis company and Remington & Sons. In 1885 the building of the Howe company was burned and the Remington company failed. These disasters reduced the revenue of the Indianapolis concern largely, and the cabinet com-pany was organized. It was originally the itention of the organizers to manufacture furniture exclusively, but after a short time the facilities were increased and the pany began the manufacture of office

"We first became a depositor in the Indianapolis National Bank in 1883." continued Mr. Coffin. "Theodore Haughey sent his son Lewis to see me and he asked me to give them a portion of our account. This visit of the younger Haughey led to an interview between myself and his father. The result was that the bank got a part of our account. It was proposed that we divide our account between the Indiana National Bank and the Indianapolis National. The latter concern offered us a line of credit of \$25,000 and agreed to discount percentage of which goes to Eastern mar- | the paper of our customers. An arrangement was made between Mr. Haughey, Mr. Malott and myself by which both banks were to extend the same line of credit. At that time the Indianapolis Cabinet Company had accounted with banks in Cincinnati, New York, Richmond and Crawfords-

HAUGHEY TENDERED CREDIT. "I think we took advantage of the proffered line of credit of the Indianapolis National Bank at once and took out the entire \$25,000 inside of sixty days. As securfty we gave the notes of the Indianapolis Cabinet Company. This credit was of great advantage to us, as we were extending the business of our plant and were buying a great deal of new machinery. In the fall of 1885 a mortgage to secure the sum of \$12,500 was given the bank, this addition to the debt coming about through the return of checks drawn on the Rich-mond bank and returned unpaid. This was on account of the failure of the Richmond bank. Necessarily we were compelled to give our paper as security and an arrangement was made with Mr. Haughey to give a mortgage for \$35,500. This mortgage, as I remember, covered all of the property of the cabinet company. In 1886 another mortgage was given the bank by us for \$62,500. The Richmond National Bank held \$25,000 of the paper of the Howe and Remington sewing machine compan-les. This paper had been indorsed by the Indianapolis Cabinet Company. It was unpaid and held as a lien against us. I visthe Controller of the Currency and after two trips to Washington it was arranged that we should give bonds to cover the debt of \$25,000. An order was made to this effect by Judge Woods, of the United States Court. We issued bonds for \$62,500. tendered part of them to the Indianapoli National Bank and turned the others over to Receiver Lynch, of the Richmond bank. These bonds, however, came into the pos ession of the Indianapolis National Bank later. When the receiver wound up the affairs of the Richmond bank I bought the bonds and turned them over to Mr. to purchase the paper and I giving our notes as security. The Indianapolis National Bank then owned all of the \$62,500 A third mortgage was given bonds. 1891 to secure the bank for there is no chance that a lower rate than \$50,000. My recollection is that at this that will be made. company to the bank had increased to about \$150,000. Previous to this time there had been an organization known as the Unthank Plow Company, in which I was a stockholder. Henry J. Barnes and Mr. Kimberlin were the others. This plant was located just across Beeler street and opposite the cabinet company. The plow company owed the Indianapolis National Bank \$20,000 and it went into the hands of a receiver, the assets being sold to the In-dianapolis Plow Company. This company was incorporated by Messrs. Barnes, Kimberlin and myself before the Unthank Company wound up its business. I lost quite heavily by the failure and Mr. Haughey knew it. I suggested that we buy the property of the Unthank Plow Company a receiver's sale and if he were willing would have the new company assume the old debt. After the organization I gave him the new plow company's paper for the amount of the debt. The real estate and manufacturing plant of the Indianapolis Plow Company was eventually bought by the Indianapolis Cabinet Company for the use of the Indianapolis Panel and Veneer Company. This purchase was in contemplation of the organization of the panel and veneer company. At that time the plant was manufacturing wooden buckets. After the purchase Beeler street was vacated, throwing our ground into one piece. Altogether we had about six acres. The property of the plow company was included in the third mortgage given the bank, but not in the first two. All of the money in excess of the debt of \$62,000 had up to this time been put into the business

of the cabinet company. THE LONDON INCORPORATION. "In February, 1889, we organized the Indianapolis Desk Company, in consequence of the trouble we had been having over our mails with the Moore Desk Company. Our business had extended over the country and into Europe, and people would address mail to the Indianapolis Desk Company which was really intended for the cabinet company. The Moore Desk Company was laying claim to all this mail and we had to do something about it. A clerk in the office of A. C. Harris drew up the incorporation papers of the Indianapolis Desk Company, At that time we had no idea of establishing a plant in England, but in 1889 we did make an effort to build a plant in London, which was to succeed in time the Indianapolis Cabinet Company. The plan was suggested to us by a company of brokers in London known as the Allison Trust and Investment Company. They maintained that an English corporation could be organized for the manufacture of our desks with profit to all connected with the concern. We talked with Theodore Haughey about the venture and the result was that we set about to organize the new corporation, which was to be called the 'Indianapolis Cabinet Company, Limited.' The

to be first applied on our debt to the bank and to the payment of the stockholders of the Indianapolis Cabinet Company. The balance was to be put into the business.

In National Telephone Company, which is not the Phoenix company asking for a city franchise. The demand is on account and for interest and other relief. The ELDER BROTHER GIVES HIS VER
balance was to be put into the business.

"The first mortgage given the bank by the cabinet company was not recorded until after the bank received a letter from shall be rendered. the Controller of the Currency. The effect of this was that all of the other banks withdrew our credit and we were left solely with the Indianapolis National Bank. The negotiations with the Alliance Trust Company were being carried on by my father, who was at the time in Europe, but in July, 1889, I went over to London in connection with the matter. (Here attorney Winter exhibited a letter which the witness had written to his father in London.) "Where was that letter when the cabinet company made an assignment?" asked Mr. Winter.

"It was in a private box of mine in the office," replied the witness. "It was taken from there by the receiver. "Mr. Haughey," continued the witness, "was to be a director of the English company. He agreed that I was to pay onewitness. He speaks slowly and distinctly exhibited and I had forwarded my \$5,000. Reaching London I found that the money was lost to me, but succeeded in getting hold of the desks. I found that a great deal of advertising had been done over the coninent and that a large number of orders ceive more goods. Those that did get to us were badly damaged. I remained in London until May, 1890, and made an attempt

Witness was shown a letter which the government had introduced that tended to show that he advised his brother Percival to make some changes in the figures of the cabinet company's books. He had made an arrangement, he said, with a firm of London brokers to form a company and issue f100,000 of debenture bonds. The brokers were to purchase the paper. They were to send an expert accountant to Indianapolis to examine the books of the cabinet company before making the loan. The witness knew that the English system of bookkeeping differed materially from the American custom and he wrote to his brother asking him to make such changes in the books as would enable the English expert to understand them.

A. C. HARRIS'S EXAMINATION. The examination of A. C. Harris was conducted by the defense under a protest Cabinet Company for ten or twelve years, and he was consulted by Frank A. Coffin shortly before the failure of that company. During the time he was attorney for the company he prepared one mortgage for \$150,000, Theodore Haughey becoming trustee for the paper. He assisted in preparing another mortgage for \$250,000, of which Mr. Haughey was also trustee. Ten days after the failure of the bank Mr. Harris held a long consultation with Frank Coffin. The latter told him that he thought he owed the bank about \$250,000, and he believed that he would be able to pay the debt. He had commercial paper obligations, he averred, amounting to not over \$30,000. Mr. Coffin further informed the witness that while he was trying to negotiate a loan on bonds in London he had the plant here appraised and that the value the machinery and plant aggregated 250,000. Besides this they had on hand 40,000 worth of desks and a large quantity of lumber. Mr. Coffin estimated the value the material worked up into desks at \$170,000. The witness suggested that Mr. Coffin borrow enough money from his brother in New York to carry on the business. Mr. Coffin replied that this could not be done. He valued the business of the London, New York and Boston branches at \$60,000. He told the witness that each branch house had its own sign over the door in addition to the sign, "Indianapolis Cabinet Company." This interview with Mr. Coffin continued

until late in the afternoon. Next morning when the witness saw him he asked if the branch concerns could be sold. Mr. Coffin replied that they would not bring 25 cents on the dollar. He was asked if he had some friends who would buy the property. the New York branch to Mr. Tufts, from whom he had purchased it. The witness advised Mr. Coffin to sell the branches i It could be done. The company, he thought night realize \$40,000 on the sales, which would be on hand when the receiver took charge. He further impressed upon the mind of his client the fact that the interests of the bank and cabinet company were in common and suggested that he go at once to New York and try to sell the branch there. Mr. Coffin promised to go, but came around the next day and was upbraided by the attorney for his neglect. He did not go at all, but sent his brother Percy instead. The witness declared that he was urgent in his advice to the Coffins to dispose of the branches and have as ceiver should be appointed.

much money possible on hand when a re-Mr. Harris, on cross-examination, plained that the receiver of the cabinet ompany was appointed at the instance of Newton Todd. The latter, he admitted, was in a sense his client. The receivership was created at a meeting of the witness, John Frenzel and Receiver Hawkins, of the bank. After the receiver had been appointed the witness suggested that another attorney should represent the trust company. He felt that his position would be embarrassing if he acted in the relation of attorney for the trust company and the Coffins, Mr. Frenzel suggested the late at-

A LAWYER CROSS-EXAMINED. Mr. Burke-Did you advise Percy Coffin to go to New York and Boston and sell the New York house for \$16,000 to a clerk who had been receiving a salary of \$18 a week? Witness-I did not.

Mr. Burke-And take promissory notes payable in one and two years, secured by a chattel mortgage on the property? Witness-No. sir.

Mr. Burke-Did you advise anybody connected with the cabinet company to take a shipping clerk out of here by the name of Pierce and go to Boston and make a bill of sale for that concern to a shipping clerk here in Indianapolis, and have notes exe-cuted Aug. 5, payable in from one to twen-ty-four months, in various amounts, secured by chattel mortgages on the property

that was in the Boston house? Witness-No; I did not. Mr. Burke-Did you tell Mr. Hawkins that this concern was perfectly solvent, and that its physical assets were worth over half a million dollars, and if permitted to go on for a short time it would liquidate its debts

Witness-I did not say that. Mr. Burke-Did Mr. Coffin tell you that these New York and Boston branches did not have a dollar's worth of assets in the world or fifteen cents' worth of capital stock paid in, or that their place of business was in Indianapolis?

Witness-No Mr. Burke-Did he tell you that he and Percy and his father-in-law and A. S. Reed were the organizers and the only stockhold-

Mr. Burke-If he had told you that, Mr.

Harris, would your advice have been the Witness-I don't know. I can't say what I should have done under the circumstances at the time. What I said in substance to Mr. Coffin at the time was that a manufacturing establishment like this was of no value practically if it had to be put into a receivership or sold out under execution; I said to him: "Your interests and the interests of the bank are in common, to get the most out of it you can, and the best way to handle this property is to keep it going. Work out this stock on hand and sell what you have got." He had told me that he could realize \$125,000 out of this stock that was to be made up; that is, he could realize \$175,000, but it would cost \$50,000 to work it up, and that would leave \$125,000 to work it up, and that would leave \$125,000 which, with the \$75,000 he expected to realize from the sale of the New York and Boston stores would make \$200,000 to apply to the bank's debt, and leave the plant intact with all its property and machinery. That is exactly what I wanted to do; what I tried to

do, and what I wanted to do; what I tried to do, and what I failed to do.

George D. Bolton, of the First National Bank of Chicago; P. T. Graves, of the Milwaukee Chair Company; Forest Raynor, of the Fourth National Bank; S. D. Lounsbery, of the Chase National Bank, and Frank Burger, of the Third National Bank of New York, testified to the commercial of New York, testified to the commercial paper sent out by the Indian apolis National Bank, and which passed through their

AGAINST PHOENIX NATIONAL. Electricians Sue for Telephone Ma-

terial Furnished. The firm of McCurdy & Smith, successors to Morris & McCurdy, electricians doing ousiness on North Meridian street, yestertal stock was to be \$750,000, the money day entered suit for \$3,500 against the Phoe

and for interest and other relief. The complaint also asks for the appoint-ment of a receiver as soon as judgment The firm of Morris & McCurdy entered

into a contract, which is made part of the complaint, to erect telephone stations in various parts of the State. The firm began the work last January and its accounts show work and supplies furnished up to the middle of July. At different times small amounts were paid on the contract. The entire amount of work and supplies furnished was \$3,870.14, and the credits are \$1,421.86, leaving the balance due, \$2,448.28. Exchanges were erected at Shelbyville, Greencastle and Huntington. It is also alleged in the complaint that Morris & McCurdy bought from the Phoenix National company nine telephones to be put in for private lines for the Indianapolis Brewing Company. They were bought on a guarantee that they sho fourth of the cost of advertising the new company, the total amount of which would be about \$5,000. Mr. Haughey agreed to loan me my share of this amount. I was called to London by the failure of the Allior is now, and asks that a receiver be appointed when judgment is rendered. It is also alleged that the company has no as-sets within the jurisdiction of this court. The complaint does not state where the Phoenix National Telephone Company is located, but the contract filed with it gives its officers as Jacob Frankel, president;

John W. Paris, secretary. The Indianapolis Phoenix Telephone Company, whose contract is to be considered by the Council to-night, is in no way identified with the other company, and an offi-cer stated last night that the Indianapolis company was not depending on the instru-ment used by the National Phoenix com-pany and was in nowise bound by any relations with this company. It is shown that the Bell telephone, the patent having expired, can be bought in the open mar-ket, and this instrument, which is now in general use, may be adopted by the In-dianapolis Phoenix company if it chooses. Friends of the Phoenix National company say that that company is incorporated for \$100,000, is amply able to look after its obligations; that the amount mentioned in the McCurdy & Smith complaint is one in dispute for poor goods delivered.

LABORED MUCH FOR THEM. Mrs. Effe Stokes Did All Sorts of Me-

nial Work for the Deitches. The trial of the case of Effie Stokes against the estate of Joseph Deitch was continued in the Circuit Court yesterday. The day was spent in taking testimony to show that the plaintiff did a great deal of Percival at thirty. He came to Indianapolis first in 1880. Before that he had been engaged in farming. He had no knowledge of the had been professional relations with the Indianapolis have been more suitable for a laborer. done all kinds of menial work, even to cleaning out the stable and caring for the horse. She did washing and nursed both Mr. and Mrs. Deitch through severe cases of illness. One witness testified that the work she did was worth \$20 a week.

HAUGHVILLE'S INJUNCTION.

Manufacturers' Company Prevented from Laying Gas Pipes. Acting Judge Vinson Carter, of Room 2, Superior Court, yesterday granted an injunction on the petition of the town of Haughville restraining the Manufacturers' Natural Gas Company from laying any pipes in the town. The order was made returnable to-morrow. The complaint alleges that the company has distributed pipes along the streets leading from this city to Haughville and is preparing to put them in the ground. It is also alleged that the Town Council has not granted the company any franchise to lay such pipes, and that to lay them would injure the town.

Sam Dinnin's Case Appealed. Sam Dinnin yesterday filed a bill of exceptions in the Criminal Court to the ruling of Judge McCray some time ago, in which he was convicted, under the provisions of instrument in his saloon. The case now goes to the Supreme Court. It will be a test case. This makes two cases that have been appealed to test the provisions of this law. The other came up from Terre Haute and was appealed by the State. Emma K. Staley's Will.

The will of Emma K. Staley was probated yesterday. All of her real and personal property was left to her sister, Amelia Schoenerman. The Union Trust Company was appointed administrator with the will

George Parry's Divorce. In Superior Court, No. 2, yesterday, George Parry obtained a decree of divorce from his wife, Matilda Parry.

THE COURT RECORD.

Supreme Court. 17451. Goodwin vs. State ex rel Foley, Vigo S. C. Reversed. Monks, J.-1. Where an act provided that if the common counci deem it expedient or in their opinion the interest of the city requires a city attorney, and they elect one, they have the power at any subsequent time to abolish such office, the act of the legislature did not create the office, but authorized the comm cil to determine whether they should have such an officer. 2. The power that creates an office may abolish it before the expiration of the term of the officer. 3. In the

Kirkland vs. Board of Public Marion C. C. Affirmed. Howard C. J.-1. When a drainage of a street i constructed for the improvement of a street and not as a sewer it may be charged to the property owners as per running front foot. 2. After the confirmation of a resolution of the Board of Public Works ten days additional are allowed during which resident property owners upon the street may make further remonstrance. 3. The term resident freeholders refers to those living along

construction of a statute every part of it

must be considered in connection with the

th line of improvement. 16902. Forsythe vs. Wilcox. Porter C. C. Affirmed. Hackney, J.-1. Questions as to the qualifications of petitioners for a highway are waived by the failure of the re-monstrant to raise them before the board of commissioners. 2. The judgment of the board is final as to the sufficiency of notice board is final as to the sufficiency of notice and only such questions as have been put in issue before the board or may be permitted by amendment may be tried in the Circuit Court. 3. Questions tried before the board are tried de novo in the Circuit Court and the inquiry of this court is limited to the questions tried in the Circuit Court unless it is found that the proceedings of the board is void

ngs of the board is void. 17527. Glassburn vs. Deer. Johnson C. C. Reversed in part and affirmed in part. McCabe, J.-1. In an appeal from the action of the board of commissioners to the Circuit Court the whole case must be tried de novo. 2. Where the establishment of a public highway affects property holders in two counties an appeal taken from the ac-tion of the board of commissioners to the Circuit Court of one county carries with it all the proceedings in each county and only one transcript need to be filed in order that several appealing parties may prosecute an appeal from the final order of the board establishing a highway running into a single county. 3. Where a party has accepted his allowance for damparty has accepted and the prosecute and the state of the state ages he is in no position to prosecute an appeal from the action of the board.

17325. Michener vs. Thresher Company.

17327. C. Petition for rehearing over-

Appellate Court.

1599. Coats vs. Huffine. Clinton C. C. Affirmed. Reinhard, C. J.-Where a person contracts for a quantity of goods he is not bound to accept a smaller quantity than ordered, unless he accepts a portion of them, in which case he will be liable for the whole amount, and whether a portion of the goods were accepted is a question

1530. Bowen vs. Jones. Delaware C. C. Affirmed. Ross, J.—The signature to a paper not in evidence cannot be proven for the purpose of comparing it with a disputed signature and to establish the genuineness of the latter, but where a signature is admitted to be genuine and already in evidence for other purposes it may be compared with that in dispute.

1697. State ex rel. McKinney vs. Souder.

Allen C. C. Affirmed. Davis, J.—There is no right of action in the Superior Court upon an officer's bond as provided by Section 37 of the act of 1879, to recover the penalty prescribed in Section 8 of the act of 1883.

1402. L., N. A. & C. Rairway Company vs. Palmer. Porter C. C.—Motion to tax costs overruled. There should be argument or statement accompanying a motion to tax costs in order for this court to examine the matter com

Superior Court. Room 1-John L. McMaster, Judge.
A. Combs vs. The Insurance Company
North America; policy. Jury returned special finding of facts.
Samuel Hicks vs. Joseph M. Hightshoe; damages. On trial by jury.

Room 2-Vinson Carter, Judge pro tem.

Krug et al vs. Sowders; foreclosure. Dis-

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Krug et al.; foreclosure. Judgment vs. defendant for \$1,148.04 and costs. Decree of Parry vs. Parry; divorce. Decree granted Engelking vs. Engelking; support. Find-ing for plaintiff. Judgment vs. defendant for \$86.50. Defendant, C., C., & St. L. R. R. ordered to pay into court \$184.20. Town of Haughville vs. Manufacturing Natural Gas Company; injunction. Defend-ant enjoined from laying gas mains in streets of plaintiff until matter can be

Room 3-Pliny W. Bartholomew, Judge. Herman Sauter vs. Charles Black; mechanic's lien. Dismissed and costs paid. Andrew Yount vs. Ottis Schoen et al. Dismissed and costs paid. Hetterman Brothers vs. Nellie Cook; ac-

count. Finding and judgment for plaintiffs Prudential Deposit, Saving and Loan Association vs. John Thompson et al.; foreclosure. Judgment vs. defendants for \$885.

Ida Schlicht vs. Metropolitan Life Insurance Company; from Johnson, justice of the peace. Appeal dismissed and costs paid. Sarah Canne vs. H. J. Milligan. Trial

by jury. Finding for defendant. Criminal Court. Joseph B. Kealing, Judge Pro Tem. State vs. Samuel E. Dinnin. Defendant files bill of exceptions. State vs. Peter Faulk; assault and battery with intent to kill. Plea of not guilty withdrawn and plea of guilty entered. Fined \$163 and sentenced to six months in work-State vs. Bert Williams and Harry Hodges; robbery. Not guilty.

Before Judge McCray. State vs. Roy Stillinger; grand larceny Found guilty and judgment suspended.
State vs. Lafayette Sterritt; assault and battery with intent to kill. Plea of guilty to assault and battery. Fine of \$1 and thir y days in workhouse.

New Suits Filed. Lon A. Hornbeck vs. George M. Abbett t al.; partition of real estate. Circuit Francis R. Jennings vs. William T. Allievin. Circuit Court Calvin M. Uhl vs - Uhl; divorce. Superior Court, Room 1. F. T. Hord, trustee, vs. Fred Jacobson et al.; to revive judgment and foreclose. Superior Court, Room 1.

William C. McCurdy et al. vs. the Phoenix Telephone Company; on account. Demand, \$3,500. Petition for a receiver. Mutual Home and Savings Association vs. Senjamin Orey et al.; foreclosure. Demand.

Chicago Methodist Appointments. The meeting of the Rock River (III.) Methodist Conference at Elgin, Ill., to-day, is of interest to the Indiana Methodist ministers because several of the Indiana ministers have been transferred to this conference. At this meeting the appointments for the churches of Chicago are made. The pastorate of Trinity Church, of that city, is vacant and there is considerable speculation as to who will be given the appointment. It is understood that Rev. Dr. Sims would be acceptable, but he has been assigned the Meridian-street Church, of this city, for another year. It is also stated that Dr. J. P. D. John has been asked to take the place, but declined owing to his arrangements to continue on the lecture platform this season. It is expected that trouble will be experienced in securing a man for the Immanuel Church, of Evanston, owing to the treatment ac-corded Rev. Mr. Van Anda by that congregation last year.

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